

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA,	§	
Plaintiff	§	
	§	
v.	§	CIVIL ACTION NO.
	§	
\$29,540.00 IN U.S. CURRENCY,	§	
Defendant in rem	§	

VERIFIED COMPLAINT FOR FORFEITURE IN REM

United States of America, Plaintiff, files this action for forfeiture against approximately \$29,540.00 in United States currency, Defendant in rem, and alleges the following.

Nature of the Action

1. This is an action to forfeit property to the United States pursuant to 31 U.S.C. §5317(c)(2).

Defendant in Rem

2. Defendant in rem is approximately \$29,540.00 in United States currency that was seized from Ataur Rahman on June 30, 2010, at the George Bush Intercontinental Airport in Houston, Texas.

Jurisdiction and Venue

3. This Court has jurisdiction under 28 U.S.C. §1355 because this is an action for forfeiture.

4. Venue is proper in this Court under 28 U.S.C. §§ 1355 and 1395(a) and (b) because:

- a. the acts or omissions giving rise to the forfeiture occurred in the Southern District of Texas,
- b. the property was found in the Southern District of Texas, and
- c. this forfeiture action accrued in the Southern District of Texas.

Basis for Forfeiture

5. The Defendant in rem is subject to forfeiture pursuant to 31 U.S.C. § 5317(c)(2) which provides that any property involved in violations of 31 U.S.C. §§ 5316 and 5324(c) may be forfeited to the United States. These statutes state in pertinent part that:

- 1) a person shall file a report when the person knowingly transports, is about to transport, or has transported a monetary instrument of more than \$10,000 out of the United States. 31 U.S.C. § 5316(a)(1)(A);
- 2) no person shall, for the purpose of evading the reporting requirements of 31 U.S.C. § 5316, fail to file a report required by 31 U.S.C. § 5316. 31 U.S.C. § 5324(c)(1);
- 3) no person shall, for the purpose of evading the reporting

requirements of 31 U.S.C. § 5316, file a report required by 31 U.S.C. § 5316 that contains a material omission or misstatement of fact. 31 U.S.C. § 5324(c)(2).

Facts

6. On June 30, 2010, Ataur Rahman was about to leave the United States aboard Emirates Airlines flight number 212 to Dubai, United Arab Emirates, en route to Bangladesh, at the George Bush Intercontinental Airport in Houston, Texas. In the jetway for this flight, a United States Customs and Border Protection Officer (CBP Officer) conducted a Customs outbound inspection. The CBP Officer asked Mr. Rahman if he was transporting more than \$10,000 in cash or monetary instruments for himself or others. He stated that he had only \$10,000. He also confirmed in writing that he was transporting only \$10,000.

7. A CBP Officer directed Mr. Rahman to an inspection table to verify the amount of money he was carrying. At the inspection table, a CBP Officer asked Mr. Rahman to place all of his currency on the table. Mr. Rahman placed an envelope containing \$10,000 on the table. In his wallet he had \$1,140. The Officer inspected Mr. Rahman's check luggage and found an additional \$18,400. In total Mr. Rahman was about to transport approximately \$29,540 out of the United states. CBP Officers seized these funds for forfeiture.

Relief Requested

8. Plaintiff requests an arrest warrant and summons pursuant to Rule G, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, a judgment of forfeiture, and costs and other relief to which the Plaintiff may be entitled.

Dated: August 3, 2010.

Respectfully submitted,

José Angel Moreno
United States Attorney

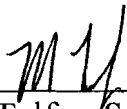
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Verification

I, Mike Telfer, Special Agent, United States Immigration and Customs Enforcement, declare under penalty of perjury as provided by 28 U.S.C. §1746 that I have read this Verified Complaint for Forfeiture in Rem, and the facts stated

in this complaint are true and correct to the best of my knowledge and belief.

Executed on August 3, 2010.



Mike Telfer, Special Agent
U. S. Immigration and Customs Enforcement